

B5 (Official Form 5) (12/07)

## UNITED STATES BANKRUPTCY COURT

## EASTERN DISTRICT OF NEW YORK

INVOLUNTARY  
PETITION

IN RE (Name of Debtor(s) – If Individual: Last, First, Middle)

**LANDAU, CHANA**ALL OTHER NAMES used by debtor in the last 8 years  
(Include married, maiden and trade names.)

Last Four digits of Social Security or other Individual's Tax-I.D. No/ Complete EIN (If more than one, state all)

STREET ADDRESS OF DEBTOR (No. and street, city, state and zip code)

105 Clymer Street - Apt. 112  
Brooklyn, New York 11249

MAILING ADDRESS OF DEBTOR (if different from street address)

COUNTY OF RESIDENCE OR PRINCIPAL PLACE OF BUSINESS  
KINGS

ZIP CODE

ZIP CODE  
11249

LOCATION OF PRINCIPAL ASSETS OF (BUSINESS) DEBTOR (if different from previously listed address)

105 CLYMER STREET - Condo Unit # 112; BROOKLYN; NEW YORK 11249

CHAPTER OF BANKRUPTCY CODE UNDER WHICH PETITION IS FILED

 Chapter 7       Chapter 11

## INFORMATION REGARDING DEBTOR (Check applicable boxes)

Nature of Debts  
(Check one box)

Petitioners believe

Debts are primarily consumer debts  
 Debts are primarily business debts

Type of Debtor  
(Form of Organization)

Individual (Includes Joint Debtor)  
 Corporation (Includes LLC and LLP)  
 Partnership  
 Other (If debtor is not one of the above entities, check this box and state type of entity below)

Nature of Business  
(Check one box)

Health Care Business  
 Single Asset Real Estate as defined in 11 U.S.C. § 101(51)(B)  
 Railroad  
 Stockbroker  
 Commodity Broker  
 Clearing Bank  
 Other

## VENUE

## FILING FEE (Check one box)

Debtor has been domiciled or has had a residence, principal place of business, or principal assets in the District for 180 days immediately preceding the date of this petition or for a longer of such 180 days than in any other District.  
 A bankruptcy case concerning debtor's affiliate, general partner or partnership is pending in this District.

 Full Filing Fee attached

Petitioner is a child support creditor or its representative, and the form specified in § 304(g) of the Bankruptcy Reform Act of 1994 is attached.

[*If a child support creditor or its representative is a petitioner, and if the petitioner files the form specified in §304(g) of the bankruptcy Reform Act of 1994, no fee is required.*]

PENDING BANKRUPTCY CASE FILED BY OR AGAINST ANY PARTNER  
OR AFFILIATE OF THIS DEBTOR (Report information for any additional cases on attached sheets.)

Name of Debtor

Case Number

Date

Relationship

District

Judge

ALLEGATION  
(check applicable boxes )

1  Petitioner(s) are eligible to file this petition pursuant to 11 U S C & 303 (b).  
2  The debtor is a person against whom an order for relief may be entered under title 11 of the United States Code.  
3a  The debtor is generally not paying such debtor's debts as they become due, unless such debts are the subject of a bona fide dispute as to liability or amount;  
b  Within 120 days preceding the filing of this petition, a custodian other than a trustee, receiver, or agent appointed or authorized to take charge of less than substantially all of the property of the debtor for the purpose of enforcing a lien against such property, was appointed or took possession.

\*FILED\*

2015 JAN 16 AM 12:29

CLERK  
U.S. DISTRICT COURT  
E.D.N.Y.  
AFTER HOURS DROP BOX

Name of Debtor(s)

LANDAU, CHANA

Case No. \_\_\_\_\_

**TRANSFER OF CLAIM**

Check this box if there has been a transfer of any claim against the debtor or to any petitioner. Attach all documents that evidence the transfer and any statements that are required under Bankruptcy Rule 1003(a)

**REQUEST FOR RELIEF**

Petitioner(s) request that an order for relief be entered against the debtor under the chapter of title 11, United States Code, specified in this petition. If any petitioner is a foreign representative appointed in a foreign proceeding, a certified copy of the order of the court granting recognition is attached.

Petitioner(s) declare under penalty of perjury that the foregoing is true and correct according to the best of their knowledge, information, and belief.

X \_\_\_\_\_

Signature of Petitioner or Representative (State title) Member

Hertz Weiss

1/15/15

Name of Petitioner

Date Signed

CONDO OWNERS ASSOCIATES

Name &amp; Mailing

Address of Individual

1707 51<sup>st</sup> Street

Signing in Representative

Brooklyn, NY 11204

Capacity

Member

X \_\_\_\_\_

Signature of Attorney

Date

Name of Attorney Firm (If any)

Address

Telephone No.

X \_\_\_\_\_

Signature of Petitioner or Representative (State title)

Name of Petitioner

Date Signed

Name &amp; Mailing

Address of Individual

Signing in Representative

Capacity

X \_\_\_\_\_

Signature of Attorney

Date

Name of Attorney Firm (If any)

Address

Telephone No.

X \_\_\_\_\_

Signature of Petitioner or Representative (State title)

Name of Petitioner

Date Signed

Name &amp; Mailing

Address of Individual

Signing in Representative

Capacity

X \_\_\_\_\_

Signature of Attorney

Date

Name of Attorney Firm (If any)

Address

Telephone No.

**APETITIONING CREDITORS**

Hertz Weiss  
Condo Owners Associates; 1707 51<sup>st</sup> Street;  
Brooklyn NY 11204

Nature of Claim Amount of Claim

Monies Loaned and Advanced \$185,000.00  
Towards purchase & Rehabilitation of Property

Nature of Claim Amount of Claim

Nature of Claim Amount of Claim

Name and Address of Petitioner

Name and Address of Petitioner

Name and Address of Petitioner

Note: If there are more than three petitioners, attach additional sheets with the statement under penalty of perjury, each petitioner's signature under the statement and the name of attorney and petitioning creditor information in the format above

Total Amount of Petitioners' Claims \$185,000.00

continuation sheet attached

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

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In re:

INVOLUNTARY CHAPTER 7

**LANDAU, CHANA**

Case No.

Debtor.

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**INVOLUNTARY CHAPTER 7 PETITION**

Petitioner, HERTZ WEISS, respectfully alleges:

1. Petitioning Creditor, HERTZ WEISS, as member of Condo Owners Associates, with an address at 1707 51st Street, Brooklyn, New York 11204, (the "Petitioning Creditor"), holding an (un)secured claim against the Debtor, not contingent as to liability and not in dispute, amounting in aggregate to \$185,000.00.
2. The nature of the claim is for monies loaned and advanced by the "Petitioning Creditor" to the "Debtor", and/or to the principal of the "Debtor", which monies were used for the acquisition and/or for the rehabilitation, betterments and improvements of the real property, known as 105 Clymer Street – Apt. 112; Brooklyn, New York 11249; and the amount of the claim is \$185,000.00.
3. The Debtor has his/her principal place of residence within the district for a longer of One Hundred Eighty (180) days preceding the filing of this Involuntary Petition than in any other district, to wit: the Debtor's addresses within the district is 105 Clymer Street – Apt. 112; Brooklyn, New York 11249.
4. The Debtor is an individual/entity against whom an Order for Relief may be entered under Title XI; Chapter 7 or 13 of the United States Bankruptcy Code.
5. The Debtor is generally not paying the debts as they become due and that the Creditor(s) holding the claims are not contingent as to liability and not subject to bona fide dispute, (except any claims by the creditors claiming to hold certain mortgages), and said claims amount in aggregate, in excess of any lien held by them on the Debtor's property securing such claims, at least, and exceeding \$50,000.00 or more.
6. That Petitioner did present agreements, contracts, receipts, invoices and statements evidencing the obligations and/or debt, and did demand payment and/or delivery of the deed to the property, pursuant to certain pledge agreement(s), all of which was refused by the Debtor.

7. That upon information and belief, the Debtor does not have more than twelve (12) creditors. That it is verily believed, that in the event that the Debtor does have more than twelve (12) creditors, that at least two (2) of such other creditors will join with this petition;
8. That it is verily believed that a Chapter 7 is the only relief to be granted, and it is further verily believed when all facts are known, it will be determined that no viable assets of the Debtors exist other than the ownership rights of the real estate premises known as 105 CLYMER STREET – Condo Unit # 112; BROOKLYN; NEW YORK 11211; or that the Debtor are not able to be rehabilitated.
9. That it is further verily believed that the Debtor will not oppose or object to the within Petition.

WHEREFORE, the Petitioning Creditor prays that an Order for Relief be entered against the Debtors under Chapter 7 of Title 11 of the United States Bankruptcy Code.

Dated: Brooklyn, New York  
January 15, 2015

HERTZ WEISS, as member of  
Condo Owners Associates

  
\_\_\_\_\_  
By: HERTZ WEISS, Member

## **UNSWORN DECLARATION**

HERTZ WEISS declares that the foregoing is true and accurate to the best of my knowledge, information and belief.

Dated: Brooklyn, New York  
January 15, 2015

HERTZ WEISS, as member of  
Condo Owners Associates

Gertie Weiss

Case No.

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK**

IN THE MATTER OF:

**LANDAU, CHANA**

Debtor(s).

**INVOLUNTARY CHAPTER 7**

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**INVOLUNTARY PETITION UNDER TITLE XI OF THE UNITED STATES BANKRUPTCY CODE**

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***HERTZ WEISS***  
as member of  
**Condo Owners Associates**  
**Petitioning Creditor**  
1707 51<sup>st</sup> Street  
Brooklyn, New York 11204  
Tel: 718 436-5614 Fax: 718 436-2645

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